

PROPOSED AMENDMENT SUBMITTED FOR DISCUSSION PURPOSES ONLY

REMARKS/ARGUMENTS

This proposed amendment is being submitted as per the Examiner's suggestion made in the Examiner initiated telephone interview summarized below.

I. Interview Summary

This interview summary is intended as a statement of the Substance of a January 11, 2010 Examiner initiated telephone interview in which Applicant's undersigned representative, Michael P. Straub, and Examiner Jacob Lipman participated.

In the interview, the Examiner indicated that claim 7 was directed to allowable subject matter and, in particular noted that the first portion of the last element of claim 7 which referred to "determining the location of the user device from edge router and port information obtained from an edge router" appeared to distinguish claim 7 over the applied references.

The Examiner suggested that Applicant consider incorporating the above noted feature of claim 7 into the other independent claims to render them allowable as well.

Applicant's representative agreed to consider the Examiner's suggestion and submit a proposed amendment assuming client approval for an amendment was given.

II. Discussion of the Proposed Amendments

Applicant's representative thanks the Examiner for the indication of allowable subject matter. Applicant proposes herein an amendment that is believed to clarify claim 7 and to incorporate features similar to those which the Examiner indicated rendered claim 7 allowable into the other independent claims. In amending the claims Applicant has tried to clarify the claims while revising them to take into consideration the Examiner's indication of allowable subject matter.

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With regard to claim 7 the Examiner indicated that the language "determining the location of the user device from edge router and port information obtained from an edge router" appeared to distinguish the claim over the applied references.

Applicant proposes amending claim 7 to recite, in pertinent part:

determining the location of the user device **from edge router information and port information obtained from an edge router identified by said edge router information**, and wherein determining the location of the user device includes performing a database lookup operation to retrieve a geographic location stored in association with said edge router information and said port information.

Applicant believes that the above amendment which is supported by the original specification clarifies claim 7 while still rendering claim 7 patentable over the applied references for the same reason original claim 7 was considered to be patentable.

Taking into consideration the Examiner's indication of the allowable feature of claim 7, Applicant proposes herein amending the other independent claims to include language which should render the other claims patentable as well.

III. Conclusion

The Examiner is invited to contact Applicant's undersigned representative by telephone to discuss the proposed amendment if the Examiner believes additional changes need to be made to render the application allowable. If the Examiner finds the proposed amendment puts the application in condition for allowance the Examiner is hereby authorized to enter the proposed amendments by way of an Examiner's amendment.

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are in condition for allowance.¹ Accordingly, it is requested that the Examiner pass this application to issue.

^[1] As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to assertions by the

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To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136 is hereby made and any required fee in regard to the extension or this amendment is authorized to be charged to the deposit account of Straub & Pokotylo, deposit account number 50-1049.

Respectfully submitted,

January 21, 2010

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Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, ability to combine references, assertions as to patentability of dependent claims) is not a concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to analyze and dispute such in the future.